

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 16, 2009

DIVISION ONE

Court convened at 9:00 a.m.

Present: Mallano, P.J., Rothschild, J., Ferns, J. (Assigned), Miller, J. (Assigned)
and S. Stahl, Deputy Clerk.

Each of the following:

B183432 People v. Thomas, et al.
B204863 People v. Graham
B205545 People v. Torres
B206128 People v. Newell
B206167 People v. Carlos
B207808 People v. Walden
B208412 People v. Cardenas
B209126 People v. F.P.
B213186 DCFS v. D.R.
B214596 L.H. v. SCLA
B214679 G.P. v. SCLA

Argument waived, cause submitted.

B205719 People
v.
Raff

Merits:

Argued by Joshua C. Needle for appellant and by Laura J. Hartquist,
Deputy Attorney General, for respondent. Cause submitted.

DIVISION ONE (continued)

B213346 Los Angeles County, D.C.F.S.
 v.
 R.P.

Merits:
Argued by Gerard D. McCusker for appellant and by O. Raquel Ramirez,
Deputy County Counsel for respondent. Cause submitted.

B206430 Blunt et al.
 v.
 Valley Ball Management

Merits:
Argued by Maureen M. Home for appellant and by Stephen M. Harris for
respondents. Cause submitted.

B206792 The Post House, Inc.
 v.
 North Chandler Associates et al.

Merits:
Argued by Mario R. Rivera for appellant and by Bruce G. Landau for
respondents. Cause submitted.

B210098 Los Angeles County, D.C.F.S.
B211444 v.
 M.S. et al.

Merits:
Argued by Amir Pichvai for respondent DCFS and no appearance by
appellant D.S. (paternal grandfather). Cause submitted.

Court adjourned.

June 16, 2009 (Continued)

DIVISION THREE

B201035 Estuardo Ardon (Certified for publication)
 v.
 City of Los Angeles

Filed order modifying opinion. (No change in the judgment)

DIVISION FOUR

B208096 People (Not for Publication)
 v.
 Moncada

The judgment is affirmed.

Epstein, P.J.

We concur: Manella, J.
 Suzukawa, J.

DIVISION FIVE

B210705 People
 v.
 Luis Castellanos

Filed order granting petition for rehearing. Parties directed to file letter briefs on the points raised in the AOC'S letter by June 26.

DIVISION SIX

B206189 People (Not for Publication)
v.
Ivey

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

B203551 People (Not for Publication)
v.
Magallon

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

B203391 Fairbank (Not for Publication)
v.
Hagaman

The judgment (award of attorney's fees and costs) is affirmed. Costs on appeal are awarded to wife.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

June 16, 2009 (Continued)

DIVISION SIX (continued)

B206341 People (Not for Publication)
v.
Martinez

We modify the judgment to add a requirement that Martinez submit to DNA testing (§ 296, subd. (a)(1)), and delete the imposition of a parole revocation fine (§ 1202.45). We direct the trial court to prepare an amended abstract of judgment and forward it to the Department of Corrections and Rehabilitation. The judgment is otherwise affirmed.

Perren, J.

We concur: Gilbert, P.J.
Yegan, J.

B210281 Bay4 Capital (Not for Publication)
v.
Board of Trustees of the Calif. State University

The judgment is affirmed. Costs on appeal are awarded to respondent.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

DIVISION SEVEN

B212682 Los Angeles County, D.C.F.S. (Not for Publication)
v.
L. S.

The judgment is affirmed.

Jackson, J.

We concur: Perluss, P.J.
Zelon, J.

DIVISION SEVEN (continued)

B209695 People (Not for Publication)
 v.
 J. C.

The seven-year period of maximum confinement set forth in the July 8, 2008 minute order is ordered stricken. In all other respects, the judgment is affirmed.

Jackson, J.

We concur: Perluss, P.J.
 Woods, J.

B204122 Leo Hoffman Chevrolet (Not for Publication)
 v.
 Graybar Financial Services

The judgment is affirmed. Graybar is to recover its costs on appeal.

Jackson, J.

We concur: Perluss, P.J.
 Zelon, J.

B212169 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 A.G.

The order is affirmed.

Jackson, J.

We concur: Perluss, P.J.
 Zelon, J.

DIVISION SEVEN (continued)

B208420 People (Not for Publication)
v.
O.V.

The disposition order is affirmed.

Jackson, J.

We concur: Woods, Acting P.J.
Zelon, J.

B209951 People (Not for Publication)
v.
Henry

The judgment is reversed and the cause remanded with directions to the superior court to permit defendant to withdraw his guilty plea if he moves to do so within 30 days after this decision is final. If the plea is withdrawn, on motion of the People, the original charges shall be reinstated and the case shall proceed in accordance with the views expressed in this opinion. If defendant elects not to withdraw his plea of guilty, the superior court shall reinstate the judgment.

Jackson, J.

We concur: Perluss, P.J.
Zelon, J.

June 16, 2009 (Continued)

DIVISION SEVEN (continued)

[illegible]

The judgment is affirmed. Defendant is awarded 889 days of presentence custody credit. The trial court is directed to prepare a corrected abstract of judgment and forward a copy to the Department of Corrections and Rehabilitation.

Jackson, J.

We concur: Perluss, P.J.
Woods, J.

[illegible]

The judgment is affirmed. Defendant Ronald D. Keller shall recover his costs on appeal.

Jackson, J.

We concur: Perluss, P.J.
Woods, J.

DIVISION EIGHT

B209416 Los Angeles County, D.C.F.S. (Not for Publication)
v.
H.M.,

For the reasons set forth above, the order appointing a guardian ad litem and the jurisdiction order are affirmed.

Rubin, Acting P.J.

We concur: Flier, J.
Bigelow, J.

DIVISION EIGHT (continued)

B205927 Pantea E. Amini et al., (Not for Publication)
 v.
 Cimarron Escrow, Inc.,

The part of the judgment awarding Cimarron Escrow, Inc. attorney's fees and costs is reversed. In all other respects, the judgment is affirmed. The parties shall bear their own costs on appeal.

Rubin, Acting P.J.

We concur: Flier, J.
 Bigelow, J.

B211620 People (Not for Publication)
 v.
 Lee Sprewell

The judgment is affirmed.

Bendix, J. (Assigned)

We concur: Flier, Acting P.J.
 Bigelow, J.

B207126 People (Not for Publication)
 v.
 John T. Corrodi, Jr.,

The judgment is affirmed.

Bauer, J. (Assigned)

We concur: Rubin, Acting P.J.
 Flier, J.

DIVISION EIGHT (continued)

B212422 Los Angeles County, D.C.F.S. (Not for Publication)
v.
W.L. et al.,
In re N.L., a Person coming Under the Juvenile Court Law.

The orders are affirmed.

Flier, Acting P.J.

We concur: Bigelow, J.
 Bendix, J. (Assigned)

B212647 Los Angeles County, D.C.F.S. (Not for Publication)
v.
A.B.,
In re A.R., a Person Coming Under the Juvenile Court Law.

The order is affirmed.

Flier, J.

We concur: Rubin, Acting P.J.
 Bendix, J. (Assigned)

B206169 People (Not for Publication)
v.
Christian Gomez

The judgment is affirmed.

Flier, J.

We concur: Rubin, Acting P.J.
 Bigelow, J.

June 16, 2009 (Continued)

DIVISION EIGHT (continued)

B205181 Fagelbaum & Heller LLP
 v.
 Robert O. Smylie

Filed order certifying opinion for publication.